

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA,	§	
	§	
v.	§	CRIMINAL ACTION NO. 4:10-CR-075-
	§	MAC
TRENTON PAUL MILLETT (1)	§	
	§	

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Now before the Court is the request for revocation of Defendant Trenton Paul Millett's ("Defendant") supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on March 11, 2021, to determine whether Defendant violated his supervised release. Defendant was represented by Frank Henderson of the Federal Public Defender's Office. The Government was represented by Tom Gibson.

Defendant was sentenced on January 12, 2011, before The Honorable Michael H. Schneider of the Eastern District of Texas after pleading guilty to the offense of Felon in Possession of a Firearm, a Class C felony. This offense carried a statutory maximum imprisonment term of 10 years. The guideline imprisonment range, based on a total offense level of 23 and a criminal history category of VI, was 92 to 115 months. Defendant was subsequently sentenced to 103 months subject to the standard conditions of release, plus special conditions to include financial disclosure, substance abuse testing and treatment, and mental health treatment. On October 3, 2017, Defendant completed his period of imprisonment and began service of the supervision term. On November 14, 2017, this case was reassigned to United States District Judge Marcia A. Crone.

On November 15, 2017, the United States Probation Officer executed a Petition for Warrant or Summons for Offender Under Supervision [Dkt. 40, Sealed]. The Petition asserts that Defendant violated two (2) conditions of supervision, as follows: (1) the defendant shall not commit another federal, state or local crime; and (2) the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon [Dkt. 40 at 1, Sealed]. The Petition alleges that Defendant committed the following acts: (1), (2) on November 13, 2017, Defendant was arrested by the Fannin County Sheriff's Office for Unlawful Possession of a Firearm by a Felon. Defendant was released on bond, and the case is pending. [Dkt. 40 at 1, Sealed].

Prior to the Government putting on its case, Defendant entered a plea of true to allegation 2 of the Petition (alleging a violation of the mandatory condition that defendant shall not possess a firearm). The Government dismissed allegation 1. Having considered the Petition and the plea of true to allegation 2, the Court finds that Defendant did violate his conditions of supervised release.

Defendant waived his right to allocute before the District Judge and his right to object to the report and recommendation of this Court.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant's supervised release be revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for a term of twelve (12) months, such term of imprisonment to run concurrently with the term of imprisonment imposed in Defendant's state case for unlawful possession of a firearm by a felon (Case No. CR18-26578, Fannin County), with no term of supervised release to follow.

The Court also recommends that if Defendant is transferred to a Bureau of Prisons facility that he be housed in the Bureau of Prisons facility in Texarkana, Texas, if appropriate.

SIGNED this 5th day of April, 2021.

A handwritten signature in black ink, appearing to read 'C.A. Nowak', is positioned above a horizontal line.

Christine A. Nowak
UNITED STATES MAGISTRATE JUDGE